

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA	§	
	§	No. 6:20-CR-97-06
v.	§	
	§	JUDGES JCB/JDL
JOHN ERIC RETIZ (06)	§	

ELEMENTS OF THE OFFENSE

You are charged in **Count 1** of the indictment with a violation of 21 U.S.C. § 846 (conspiracy to possess and possession with intent to distribute a controlled substance).

The essential elements which must be proven to establish violation of this offense are as follows:

Count 1

21 U.S.C. § 846

- First:*** That within the time frame alleged in the indictment, you and other persons, directly or indirectly, reached an agreement to distribute a controlled substance, namely, methamphetamine, a Schedule II controlled substance;
- Second:*** That you knew of the unlawful purpose of the agreement;
- Third:*** That you joined in the agreement willfully, that is, with the intent to further its unlawful purpose;
- Fourth:*** That the conspiracy involved 50 grams or more of actual methamphetamine or 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine; and
- Fifth:*** That you knew or reasonably should have known that the scope of the conspiracy involved 50 grams or more of actual methamphetamine or 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine.

NICHOLAS J. GANJEI
ACTING U.S. ATTORNEY

/s/ D. Ryan Locker
D. RYAN LOCKER
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CERTIFICATE OF CONFERENCE

I certify that I have consulted with counsel for the defendant on or about the date of filing, and said counsel does not oppose the filing of this notice.

D. Ryan Locker
D. RYAN LOCKER
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I certify that I have this day served counsel for the defendant with a true and correct copy of this pleading by the court's CM/ECF electronic filing system.

D. Ryan Locker
D. RYAN LOCKER
Assistant U.S. Attorney